

MINUTES

UTAH BOARD OF MASSAGE THERAPY MEETING

January 20th, 2009

**Room 475 – 4th Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:07 a.m.

ADJOURNED: 11:48 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Penny Vogeler

Board Members Present:

Craig M. Sauer, Chairman
Richard Engar, DDS, Public Member
Carolyn M. Redington
Jenifer H. Ptuetz
Sharon Muir

Guests:

Roger Olbrot, Myotherapy College of Utah
Craig Anderson, Ogden Institute Massage

DOPL Staff Present:

F. David Stanley, Division Director
Kent Barnes, Sr. Business Analyst/Compliance Unit

TOPICS FOR DISCUSSION ADMINISTRATIVE BUSINESS: MINUTES:

DECISIONS AND RECOMMENDATIONS

The November 18th, 2008 minutes were reviewed. A motion to approve them as written was made by Dr. Engar and seconded by Ms. Redington. Unanimously passed.

The September 16th, 2008 minutes were also reviewed for approval as there was not a quorum at the November meeting. A motion to approve them as written was made by Dr. Engar and seconded by Ms. Pruetz. The vote was unanimous.

COMPLIANCE REPORT:
Kent Barnes, Sr. Business Analyst
Compliance Unit

Mr. Barnes asked that the Board consider what they find compliant versus non-compliant. He also reminded the Board that the disciplinary tracking forms are privileged information and must be shredded after the meeting.

PROBATIONERS:

Lisa Ann Bouvier, Non Compliant
Julieta Hernandez, Compliant
Jaclyn Heather Jones, Compliant
Francisco Javi Velasque, Compliant

NEW STIPULATIONS:

Michael Parley Baker, Has met with Compliance Unit
Tanya Rebeka Rodriquez, Unable to attend

PROBATIONERS INTERVIEWS:

Lisa Ann Bouvier

Ms. Bouvier was interviewed by Mr. Sauer. She was asked why she missed calling Compass Vision a number of times since her last meeting with the Board. She also missed testing on 11/08/08, 12/20/08 and 12/23/08. She stated she just fell out of her routine. She understands she will now be subject to double the number of screens as a result of missed tests. She has her AA cards to submit today and reminded the Board this is being done on her own and not a condition of her Order. She stated she has remained sober. She provided employer reports, AA cards and the name of her physician. The Board stated they were disappointed in her non-compliance and simply did not understand it. She was reminded this behavior will not be tolerated in the future. She feels the AA meetings are keeping her sober and have saved her life. Work as a massage therapist has slowed considerably. She is working 30 hours a week in a Physical Therapist's office. She preps the patient for ultra sound, helps them with exercises, and trains new employees to become physical therapy aids. She stated she has a very good support system and speaks with her sponsor everyday. It was suggested she enlist her sponsor's help with her issue of not calling CVI. She will be seen on March 17th, 2009.

Not in compliance.

Julieta Hernandez

Ms. Hernandez was interviewed by Ms. Pruetz. She was asked to submit an outline of her business course, either the curriculum or transcripts. Her Order states she must complete 20 additional hours of CE in ethics. The question of the Business course counting towards the hours she needs was raised. Ms. Hernandez will bring the course outline in later during the meeting. Her interview will continue at that time.

Ms. Jones was interviewed by Ms. Redington. She stated she cannot pay for testing at this time. She is currently working but not in Massage Therapy. She said she has not submitted any applications in the last two months due to the personal stress in her life. She stated there is nowhere to apply. She was instructed she must actively seek work. A motion was made by Dr. Engar to suspend the drug testing requirement until she is employed in massage therapy and notifies the Board in writing, at which time the drug testing will be reinstated. It was seconded by Ms. Muir. The vote was unanimous, with Mr. Sauer recusing himself. It was suggested she notify the Board of any applications she submits with the Compliance Unit monitoring for the Board. She must continue to call CVI until she receives an amended Order. Ms. Jones thanked the Board and stated she appreciates their working with her. She will be seen on March 17th, 2009. **In compliance.**

Francisco Javi Velasque

Mr. Velasque was interviewed by Ms. Redington. He stated he began employment at Solitude Ski Resort in December. He is no longer working at Sego Lilly Day Spa. He now averages 20-25 massages per week and considerably more on the weekends. His supervisor reports are very favorable. Mr. Velasque will be seen again on May 19th, 2009. Mr. Velasque asked about early probation termination and was informed the request must be submitted in writing. **In compliance.**

Julieta Hernandez

The interview resumed at 10:50 a.m. Ms. Hernandez spoke with her instructor and was told the course contained 5 hours of ethics. Dr. Engar made a motion, seconded by Ms. Pruetz to accept the 5 hours of ethics towards the 20 hours required by her Stipulation and Order. The vote was unanimous. Dr. Engar made a motion that an amendment to the Order be recommended allowing Ms. Hernandez to acquire the additional 15 hours of ethics, pertaining to massage therapy, by November 1st, 2009. It was seconded by Sharon Muir. The motion was unanimously passed. Ms. Hernandez will be seen again on May 19th, 2009. **In compliance.**

NEW STIPULATIONS:
Michael Parley Baker

Ms. Muir conducted the interview with Michael Baker. He works at Beyond Spa in Layton. He has met with the compliance unit and will be contacting

Ms. Trujillo concerning the anger management course. He will also submit documentation of completion of his criminal probation. Mr. Baker discussed his working environment. He will be seen March 17th, 2009. **In compliance.**

Tanya Rodriquez

Excused. Ms. Rodriquez will be invited to attend the March 17th, 2009 meeting.

CORRESPONDENCE:

Apprenticeships:

Jennifer Middleton / Kamberli Escamilla

Brandy Villarta / Erin Sickles

Mr. Olbrot reviewed the curriculum with the Board and made his recommendations/suggestions. Both Ms. Middleton and Ms. Villarta will be advised of the changes required within the curriculum. The programs submitted seem to be identical. When resubmitted and approved, the Apprentice licenses can be issued and the supervisors will be notified.

DISCUSSION ITEMS:

Apprentice Programs in general were discussed. It was determined that they are a one supervisor to apprentice relationship. It is not allowable to “switch” instructors for different courses. Ms. Muir felt there needs to be more instruction or information for the Massage supervisors to refer to in preparing their curriculum. It was noted by Ms. Stewart that a supervisor may bring in another instructor to teach a subject but the supervisor must be present at that time.

Mr. Olbrot also initiated a discussion on school curriculums changing after they have been approved or accredited

NEXT SCHEDULED MEETING:

March 17th, 2009

ADJOURN: 11:48 a.m.

No motion required

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

March 17, 2009

Date Approved

(ss)Craig M. Sauer, Chairperson
Massage Therapy Licensing Board

March 17, 2009

Date Approved

(ss)Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing